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97TH CONGRESS  
2D SESSION

# H. R. 6946

To amend title 18 of the United States Code to provide penalties for certain false identification related crimes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1982

Mr. HUGHES (for himself, Mr. HYDE, Mr. SAWYER, Mr. KASTENMEIER, Mr. GLICKMAN, Mr. FISH, and Mr. KINDNESS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18 of the United States Code to provide penalties for certain false identification related crimes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "False Identification  
4       Crime Control Act of 1982".

5       SEC. 2. Chapter 47 of title 18 of the United States  
6       Code is amended by adding at the end the following:

1   **“§ 1028. Fraud and related activity in connection with**  
2                   **identification documents**

3           “(a) Whoever, in a circumstance described in subsection  
4 (c) of this section—

5               “(1) knowingly and without lawful authority pro-  
6       duces an identification document or a false identifica-  
7       tion document;

8               “(2) knowingly transfers an identification docu-  
9       ment or a false identification document knowing that  
10       such document was stolen or produced without lawful  
11       authority; or

12               “(3) knowingly produces, transfers, or possesses a  
13       document-making implement with the intent such docu-  
14       ment-making implement will be used in the production  
15       of a false identification document or another document-  
16       making implement which will be so used;

17 or attempts to do so, shall be punished as provided in subsec-  
18 tion (b) of this section.

19           “(b) The punishment for an offense under subsection (a)  
20 of this section is—

21               “(1) a fine of not more than \$25,000 or imprison-  
22       ment for not more than five years, or both, if the of-  
23       fense is—

24                   “(A) the production or transfer of an identifi-  
25       cation document or false identification document  
26       that is or appears to be—

1                   “(i) an identification document issued by  
2                   or under the authority of the United States;  
3                   or

4                   “(ii) a birth certificate, or a driver’s li-  
5                   cense or personal identification card;

6                   “(B) the production or transfer of more than  
7                   five identification documents or false identification  
8                   documents; or

9                   “(C) an offense under paragraph (3) of such  
10                  subsection; and

11                  “(2) a fine of not more than \$15,000 or imprison-  
12                  ment for not more than three years, or both, if the of-  
13                  fense is any other production or transfer of an identifi-  
14                  cation document or false identification document.

15                  “(c) The circumstance referred to in subsection (a) of  
16                  this section is that—

17                  “(1) the identification document or false identifica-  
18                  tion document is or appears to be issued by or under  
19                  the authority of the United States or the document-  
20                  making implement is designed or suited for making  
21                  such an identification document or false identification  
22                  document; or

23                  “(2) the production, transfer, or possession prohib-  
24                  ited by this section is in or affects interstate or foreign  
25                  commerce, or the identification document, false identifi-

1 cation document, or document-making implement is  
2 transported in the mail in the course of the production,  
3 transfer, or possession prohibited by this section.

4 “(d) As used in this section—

5 “(1) the term ‘identification document’ means a  
6 document made or issued by or under the authority of  
7 the United States Government, a State, local or for-  
8 eign government, or an international governmental or  
9 quasi-governmental organization which, when complet-  
10 ed with information concerning a particular individual,  
11 is of a type commonly accepted for the purpose of  
12 identification of individuals;

13 “(2) the term ‘produce’ includes alter, authenti-  
14 cate, or assemble;

15 “(3) the term ‘document-making implement’  
16 means any implement or impression specially designed  
17 or primarily used for making an identification docu-  
18 ment, a false identification document, or another docu-  
19 ment-making implement;

20 “(4) the term ‘personal identification card’ means  
21 an identification document issued by a State or local  
22 government solely for the purpose of identification; and

23 “(5) the term ‘State’ includes the District of Co-  
24 lumbia, the Commonwealth of Puerto Rico, and any  
25 other possession or territory of the United States.

1       “(e) This section does not prohibit any lawfully author-  
2 ized investigative, protective, or intelligence activity of a law  
3 enforcement agency of the United States, a State, or a subdi-  
4 vision of a State, or of an intelligence agency of the United  
5 States, or any activity authorized under title V of the Orga-  
6 nized Crime Control Act of 1970 (18 U.S.C. note prec.  
7 3481).”.

8       SEC. 3. The table of sections at the beginning of chapter  
9 47 of title 18 of the United States Code is amended by  
10 adding at the end the following:

“1028. Fraud and related activity in connection with identification documents.”.

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